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JOHANNESBURG JOINT COUNCIL OF EUROPEANS AND NATIVES.

P. O. Box 4767.

JOHANNESBURG.

THE NATIVE IN INDUSTRY.

- (a) His Economic Status
 - (b) His Legal Status
and their effect upon Industrial
Organisation
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NOTE: This Memorandum must now be read in the light
of the terms of the Industrial Conciliation Act Amendment
Bill which has been published since the Memorandum was
written - 23/2/28.

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REVIEW OF THE PROCEEDINGS OF THE

COMMISSIONER OF THE

REVENUE DEPARTMENT

IN THE

OFFICE OF THE

SECRETARY

THE NATIVE IN INDUSTRY .

1. Since its establishment in 1921 the Johannesburg Joint Council of Europeans and Natives has frequently had before it complaints as to the inadequacy of the scale of wages paid to Natives employed in the towns, particularly where their housing is not included in the contract.
2. Domestic servants ("house-boys") are not included in the present discussion since usually both food and housing are provided in their case.
3. While the scale of Native Wages has been largely determined by the wages paid to Natives on the Mines, mine-workers are also excluded from the discussion. They form a distinct category of their own, since the vast bulk have their roots in the tribal areas of the Union and Portuguese East Africa, and their wages are supplemental to their subsistence cultivation of tribal lands.
4. The majority of the Native workers in other industrial and commercial occupations is becoming more and more divorced from the land through the lack of unoccupied land in Native areas and the unsatisfactory conditions of service on the farms of Europeans. A very large proportion - if not the greater part- of these workers has broken away entirely from all tribal connections and is dependent entirely upon wages earned in the towns. For these Natives the ruling rates of wages seem to be quite inadequate, and the Joint Council has been impressed by the gap which exists between the reasonable needs of these workers and their actual incomes. Their wages since 1913 have not advanced to the same extent as the cost of living, while their social needs - e.g., housing, clothing, children's education (in the Transvaal Natives alone pay fees for elementary education), recreation- have advanced enormously, largely through their determination to adopt civilised standards of life. A generation ago a Native worker needed little more than a "tin shanty", an open fire for warmth and cooking, mealies and bread for food and odd bits of clothing to satisfy all his wants while working for wages which were to supplement his subsistence farming when he returned to the krraal. Today he has his wife and children with him in the town and he asks for a house of at least two rooms, the whole family eats European food and wears European clothes, the children go to school and fees must be paid. In fact the Native worker today, to an ever increasing degree, lives on a level with the unskilled worker in European cities.
5. On this point the Economic and Wage Commission may be quoted as follows :-

"MAJORITY REPORT" - Par. 56 - The urbanised native, on the other hand, who has lost all connection with his pastoral origin and become detribalised, is in the same position as the white wage-earner. He finds the cost of living high, since he has to conform to urban requirements as to housing, clothing and transport, and to pay urban prices for food; while the level of wages he is likely to receive is kept down in the neighbourhood of the standard set by natives from reserves, living in compounds and working to supplement their agricultural livelihood."

"MINORITY REPORT" - Par. 131 - The detribalised native has nothing but his wage to depend upon for maintaining himself and his family The detribalised native has no such aid (i.e. land) and is in a similar position to the landless unskilled white or coloured worker.

6. The inadequacy of the wages paid to urbanised natives is shown in the following quotations one from a report issued in 1927 by this Council on "Lawlessness among Natives in Johannesburg, and the other a budget submitted by the Cape Peninsula Joint Council :

The average Native wages in vogue in Johannesburg range from £3. to £5 (the exception to the rule is £6) per month, working at from 15/- to £1.10. per week, out of which a man with a family of five has to strain every nerve to meet the following family budget (the figures reflected here are calculated on the lowest economic Basis) :-

NATIVE FAMILY BUDGET- JOHANNESBURG

Family of 5.
Per month of 4 weeks.

Rent	£1. 5. - to £1. 10. -
Train and/or Tram Fares.	10. - to 13.--
Poll Tax	1. 8
Burial Society	2. 6 to 3. 6
Wood- reckoned at 3d per day	7. 6
Coal - at 1 bag a week	10. 0
Sugar @ at 1 lb a day	10. 0
Tea	2. 6
Meat at 3 times a week	12. -
Vegetables at 4 times a week	4. -
Bread at 3 loaves a week	6. -
Mealie meal	10. -
Candles	3. -
Lunch in town at 6d a day.	13.--
School Fees	1. - to 1. 6
Church Fees	3. - " 4. -

£6. 1. 2 £6.11.8

NATIVE FAMILY BUDGET - NDABENI LOCATION, CAPETOWN

Family of 5.

Wood	at	2. 6
Coal	at	2. 3
6 lbs sugar @ 4d.		2. -
8 oz Tea 1/6 pk		1. 6
2 pk. at 8d "		1. 4
14 Lbs Meat (Beef) at 6d		7. -
Vegetables & Greens at 8d a day.		4. 8
21 Loaves of bread at 2d.		3. 6
6 lbs Mealie Meal @ 1½d lb		9
14 lbs Samp @ 2d lb		2. 4
7 lbs beans @ 4d lb		2. 4.
2 Tins Milk @ 9d each.		1. 6
4 oz Coffee @ 3d an ounce		1 -

Soap 1 bar @ 1/ 1
£1.13. 8 or
£6.14.8 per month of four weeks.

6. The Capetown budget has been prepared without knowledge of the Johannesburg figures. It omits Rent, Train and Tram fares, Poll Tax, Burial Society, Candles, lunch in town, School fees, and Church fees, but includes the following items omitted from the Johannesburg budget: Samp, Soap, Beans, Milk, Coffee. Both omit clothes.
7. How are the gaps made up? In Johannesburg, the difference is made in some if not all of the following ways :-
 1. The wives either go out to char or " to do a wash" or take in a wash. Where one family's laundry only has been obtained the weekly income from this source would be from 2/6 to 5/-. In rare cases a wife will earn as much as 7/6 a week and more rarely still 10/-. A woman considers herself " very rich" if she gets 10/- or even 7/6.
 2. There are very few openings for juvenile labour. Where work is obtained the conditions are usually very unsatisfactory. There is a prejudice in favour of the country "piccannin" and town boys and girls are certainly less docile. The town parent will sacrifice a great deal to keep his children as long as possible in school away from the unsatisfactory conditions of labour. Nevertheless a certain income is obtainable from the labour of the children.
 3. Saving on food.
 4. In a deplorable number of cases additional income is made by the illicit sale of liquor to mine natives, single men, and visitors to town.
8. The need for an adjustment of Native wages is also seen in the dilemma of the municipalities where the Natives Urban Areas Act of 1923 is in force. Everywhere the municipalities are endeavouring to provide housing for their native populations at a cost that is quite uneconomic whether the rental charged is viewed from the standpoint of the capacity of the natives to pay or from that of the return on the Municipal outlay. In some instances such rentals are more than one-third of the wages, and there are cases in which they approximate to one-half. In Johannesburg the rentals in the new Western Native Township are £1.5.0 per month for two roomed houses. In Pietersburg, Transvaal, where the average wage is £2 per month (£3 is a very good wage) the municipal rental for a two-roomed house with a lean-to kitchen is £1.15.- per month.
9. The truth is that Industry and Commerce are benefiting at the expense of both the municipalities and the Native workers. These latter together make up the deficiency on Native wages. The Municipalities make it up by loan charges which are borne either by the Native Revenue Account or by general rates. The Natives make up their share of the difference by stinting on food rather than on the outward and visible signs of a civilised life. It is by no means wholly due to ignorance that the infant death rate among Natives in the Johannesburg Municipality is 705.26 per thousand (for the year 1925/6) and in Benoni 847 in 1926/7 (in December 1926 the rate was 947). Inadequate nutrition has a great deal to do with it.

10. The Joint Council feels that the limit of sacrifice has been reached. § While it is doing all in its power to support the efforts of those bodies (e.g. Municipalities and Missionary Medical services) which are striving to tackle the hygienic problems of native life in the towns, it believes that there can be no real advance until the general level of Native life there is raised by economic and legal means, The time has come to determine the Native worker's place in the economic system of the country. His status as a worker is unsound, whether viewed economically or legally.
11. Until recently the whole of the machinery, whether legal or economic, available for dealing with Native labour ignored entirely the needs and condition of the urbanised native. On the legal side this machinery was designed to deal with indentured labour imported from the Reserves or from outside the Union. This is still the position except in so far as it has been modified by the activities of the Wage Board of which it will be necessary to speak later.
12. Native labour is governed mainly by two statutes - The Masters and Servants Laws of the various Provinces and the Native Recruiting Law (Act 15 of 1911). The Transvaal Masters and Servants Law (No. 13 of 1880) is typical of the others and may be quoted to illustrate the position throughout the Union. This law is applicable to both European and Non-European, but recent industrial legislation has almost entirely removed the European worker from its scope, The Economic and Wage Commission (1925) states (par. 63 of the Majority Report) that " in 1923 the number of prosecutions for offences under the Masters and Servants Acts was 886 Europeans and 18,369 non-Europeans." X
13. In the absence of special legislation, such as the Industrial Conciliation Act and the Wage Act, the Native worker is bereft of any effective means of bargaining for wages, since the right to strike is not recognised by the Masters and Servants Laws and the Native Recruiting Law, The Strike weapon is definitely forbidden as the following quotations will show :-

Transvaal Masters and Servants Law, Chap V. Section 3.
Penalties Class III.

"2 If he shall, without leave or other lawful means absent himself from his Master's premises or other place proper and appointed for the performance of his work."

§ Two indications may be given. The Johannesburg Municipality feels that it cannot face its housing programme while the influx of Natives into the town is unchecked. It is seeking legal powers to check the inflow, which is caused largely by the pressure of unfavourable conditions on the Reserves and on European farms. The second instance is that of the strike which took place in August 1927 in the Railway Yards at Kazerne, Johannesburg. Despite the fact that these workers were receiving a higher wage than current in the town (2/2 per diem with rations and quarters as against 1/8). The strike was due to the general sense of dissatisfaction with their lot that is rife among the Johannesburg natives.

X Pass-bearing Natives are specifically excluded from the benefits of the Industrial Conciliation Act.

Penalty: fine not exceeding £2. or, in default, imprisonment with or without hard labour for any period not exceeding one month.

Native Labour Regulations Act, Section 14.

"(1) Any Native labourer who - (a) without lawful cause deserts or absents himself from his place of employment shall be guilty of an offence and liable on conviction to a fine not exceeding ten pounds or, in default of payment, to imprisonment with or without hard labour for a period not exceeding 2 months".

Native workers have had bitter experiences of the effectiveness of these provisions of the law. One instance was the strike of the Native employees in the Sanitary Department of the Johannesburg Municipality in April 1918, when the maximum penalty of imprisonment was inflicted,

14. The effect of this lack of protection has been to widen the gap between the wages of Natives and those of Europeans. While the European Trade Unions have been able to demand and secure considerable adjustments of the European wage the Native workers have had to look on helplessly. §

15. The Economic and Wage Commission (1925), Majority Report, par.46. comments on this difference in wages :-

".... the explanation of the remarkable fact that the rates of wages which we took are above the average income per occupied person, while in other countries the corresponding rates are usually about half the average income, is to be found in the characteristic of South African wages that we noted first - viz: the wide spread - a spread several times as great as in any other country, between the highest and the lowest rates of wages. The income of mechanics, building artizans, miners and printers are the rates of a small skilled class of urban white labour."

16. The Chairman of the Wage Board (Mr. F.A.W. Lucas, K.C) who was also a member of the Economic and Wage Commission, but did not sign the Majority Report, was reported in the "Social and Industrial Review" (published by the Department of Labour) of October 1927, page 373, as follows :-

" The problem which the Wage Board had to face was an extremely serious one. If they took the £6. level as the weekly scale of the skilled man and 16/- as the wage of the unskilled man, they would find they had a tremendous gap between the two. And in no other civilised country in the world was there such a big gap."

Mr. Lucas does not refer specifically to the Native when he speaks of 16/- as the wage of the unskilled worker, in actual fact the Native alone works at such a level. In some centres the rate is as § Cf. Industrial Relations in the United States by H.B. Butler, C.B., Deputy Director of the International Labour office (I.L.O. Studies and Reports, Series A. No. 27. p.p. 25 et seq. on the difference between the high wages of skilled workers and the low wages of the unskilled. See also Appendix A. as to relation of craft unions to the unskilled workers.

low as 10/-

17. Since 1924 the fixation of wages in Industry and Commerce has shown a remarkable advance both in principle and practice. Self determination in Industry has become firmly established, and wherever an Industry is sufficiently organised the fixing of wages becomes possible within the Industry itself. This is a principle and a method with which we are in the fullest agreement, for industrial progress is entirely dependent upon the measure of co-operation between the separate sections which comprise Industry, between Capital and Labour, Employer and Employed. Unfortunately, however, the Native worker has received little recognition as a necessary party to any agreement in the fixing of the conditions of labour, a fact due to his unorganised condition and to the popular idea that he is not a permanent factor.
18. In so far as wages are fixed by agreement between employer and employed the Native has been ignored. The first measure introduced to fix wages was the Regulation of Wages, Apprentices and Improvers Act of 1918. This introduced the principle of wage fixing by means of boards in certain trades, but the Native worker was excluded from its provisions. Again in 1924 pass-bearing Natives were left out of the Industrial Conciliation Act, whose object is "to make provision for the prevention and settlement of disputes between employers and employees by conciliation: for the registration and regulation of trades unions and private registry offices and for other incidental purposes".
19. The Act provides for the establishment of Industrial Councils in industries where employers and employees are organised, and for conciliation boards to deal with specific disputes where they are not. But the Native has been deliberately omitted from the scope of both bodies, with the result that his interests are ignored in any discussions under the Act. The Native worker does not benefit by agreements between employer and employed, and there is a general disinclination to give the Native a status in Industry, or to let his voice be heard in matters which concern his industrial welfare. The exclusion of the Native from the Industrial Conciliation Act is typical of this. The Act serves to encourage the popular view that the Native's interests need not be considered when improvements in industrial conditions are being discussed.
20. Our enquiries convince us that this is just where a great deal of our troubles lie in South Africa. Many dislike the very idea that there is a real community of interests between the various sections of the population and bring in measures to separate them. The result is that our laws do not fit the facts of the situation and they become repressive and dangerous. Since the days of the Dutch East India Company economic segregation laws have been enacted only to fail in their purpose. Evils follow infinitely worse than anything the laws were intended to cure, just because the laws provided for situations which could not really exist.
21. As long as there are non-Europeans in South Africa we must reckon them as part of the community and a definite place must be found for them in Industry and Agriculture. Whatever forms of segregation may be possible extrusion of the Native from Industry is not one of them. No industrial policy can be sound which does not assume, as did the Economic and Wage Commission "that the ultimate destiny of the majority of the Native population of South Africa is to be absorbed in and assimilated to the economic system which Europeans have introduced"/

introduced". (Majority Report par.280.) " Any wage regulation imposed on manufacturing industry and commerce by law should include these detribalised natives, wherever they are employed in numbers. Minimum wage orders and awards should be directed to raising the low wages they receive at present as far as is consistent with retaining them in employment. They have been absorbed by the European economic system and in their own interests Europeans should endeavour to raise them nearer to the European standard of life " (par. 289) It is undoubtedly true that " because of the existence of the detribalised natives complete separation between white and black is now apparently impossible" and that "it is too late for any other policy than that of adoption into the European economic system" Minority Report. par 127.)

22. With this end in view we advocate the abrogation in course of time of laws which prevent the adoption of the urbanised native into Industry, under the ordinary industrial laws applying to Europeans. Natural economic laws know no colour bar, whether protective or repressive. The only protection we ask for the Native in Industry is protection against measures which would not be taken were he a white man. We fully sympathise with the complaint of trade unions that the exclusion of Natives from the operation of the Industrial Conciliation Act has resulted in "the object of the Act being defeated and white employees being dismissed and pass-bearing Natives engaged in their place". (Chairman of the Wage Board, Industrial and Social Review, October 1927). We recommend the amendment of the Act to bring all industrial workers under its provisions.
23. The Minister of Labour has intimated that he proposes to amend the Industrial Conciliation Act so as to enable an industrial Council or Conciliation Board to enter into agreements which will cover any class of labour or any occupation in that industry, despite the fact that the Act specifically excludes pass-bearing Natives. The amendment, if passed by Parliament will bring Natives under Industrial Agreements but they will still be voiceless, and trade unions representing pass-bearing natives will still be unable to secure recognition or registration since the definition of employee in the Act excludes pass-bearing Natives.
24. The principle underlying all Industrial Conciliation is that those engaged in Industry shall have a voice in regard to their conditions of employment. It so happens in South Africa that employees' representatives on the Industrial Councils represent the white workers only. Unless non-European workers are admitted into the Trade Unions they have no means of placing their interests before the Industrial Councils, and agreements have already been made which have affected non-Europeans adversely without those hurt being able to plead their cause. Employers' and employees' organisations may agree to protect the white workers not only against non-Europeans but also against the rest of the community. The whole community pays, through higher prices for the products of an industry, for the special protection of the white workers in that Industry. If this is necessary for the sake of safe guarding the Industry - and we express no opinion on this point - it does not do away with the necessity for the fullest consideration being given to all the factors in the case, and this can only be done if the interests of all affected are considered.

25. We therefore urge that some provision should be made for the representation of the non-European worker on Industrial Councils and before Conciliation Boards. At a later point definite proposals will be made in this memorandum, but before this is done it is necessary to consider another measure which affects the position of the non-European worker - the Wage Act.

26. The Wage Act (No. 27 of 1925) sets up a Board whose functions and duties are :

"Sec.3. (1). (a) to investigate and report to the Minister upon any matter relating to wages or rates or hours or conditions of labour referred to it by the Minister for such investigation and report : and

(b) on the application to it of -

- (i) any registered trade union or registered association of employers; or
- (ii) where no such registered union or association exists, of any number of employees or employers, which satisfies the board that it is sufficiently representative of employees or employers, as the case may be, in any trade or section thereof,

to investigate and report to the Minister upon and submit to him recommendations in respect of that trade or section as to any matter connected with wages or rates (etc)..... "

27. The Act is intended to safeguard " civilised habits of life " and there is nothing in the Act to prevent Natives benefiting by the findings of the Board. The popular interpretation of the phrases " civilised habits of life" and " Civilised labour" would restrict the terms to Europeans only, and there is no doubt that the public utterances of political leaders have encouraged that view. Fortunately, the Wage Board takes a different standard & "does not pursue its work with the idea of replacing coloured employees by whites. There is no provision in the Wage Act, under which the Board can do such a thing, and in any case the Board cannot subscribe to any such conception of its duties. What the Board is concerned with is the value of the job. The effect in a number of cases will undoubtedly be that whites will be substituted for coloured workers, but the latter will have a perfect right to fill the posts if they contribute the necessary skill and efficiency. "(Chairman of the Wage Board - Industrial and Social Review, October 1927, pp 369-70).

28. Legally then the position is that the Board cannot exclude Natives from its awards, and Section 3, sub-section 3 of the Act actually contemplates a position in which the Board finds itself faced with the depressed wages of Native workers and is unable all at once to fix a wage that will ensure civilised habits of life". Under this section of the Act the Board is required to report to the Minister of Labour if it cannot recommend " for a particular trade or section a wage or rate upon which such employees may be able to support themselves in accordance with civilised habits of life," and to give the reasons why it cannot make a recommendation. The Minister may then direct the Board to make such recommendation as it may deem suitable. We understand that this has happened on more than one occasion.

29. It is not within the province of this memorandum to enter into the controversy regarding the soundness or otherwise of the Board's decisions in its many investigations. While we do know that many natives have been thrown out of employment as a result of the Board's awards, we do not consider this is necessarily any condemnation of the Board's findings. It is inevitable that if the Native is to be brought under the regular industrial and economic enactments there will follow considerable hardship in many cases. We support the principles enunciated by the Chairman of the Board, as quoted in paragraph 27 above, but we are a little nervous lest the very desirable change over from the chaotic wage conditions to the closely regulated wage rates imposed by the Board should be too swift and so prevent the non-European worker from making himself more efficient and therefore worth the new rates. Given a reasonably gradual adjustment of wage rates, the non-European would be able to gain in efficiency. A consequent rise in wages would result in higher standards of living. Even today there are many Natives who are earning wages well up the scales fixed by the Wage Board in the various industries, and they are entitled to the remuneration both on the score of individual efficiency and habits of life. A too sudden change forces on the labour market large numbers whom Industry should and could retain even at the higher rates were the change spread over a period of years.
30. Nevertheless, we express our adherence to the principle of payment for the job regardless of colour or race. Whatever adjustments may be necessary to secure the full play of this principle in our economic life we regard of minor importance provided we have the principle applied in good faith, and not used as a means of expelling the non-European from Industry.
31. We can now put forward what seem to us to be the essentials of a sound industrial policy in regard to wages and conditions of labour, and they are these :-
- a. Recognition of the necessity for giving the non-European a permanent place in Industry. The Joint Council has previously expressed its conviction that a definite "status" must be given to the Native as an Agricultural worker.
 - b. No differentiation between European and Non-European workers merely on the ground of race or colour. Their respective places in Industry to be subject to the same conditions as to capacity, efficiency, and value to the economic life of the country.
 - c. Disabling laws such as the Masters' and Servants' Laws and the Native Recruiting Law to cease to apply to industrial natives as they are brought within the range of the ordinary industrial laws.
 - d. Special representation of non-European workers on Industrial Councils or before the Wage Board, until such time as they are included as an integral part of registered trades unions having adequate representation before these bodies.
32. What steps can be taken to put these principles into practice if they are found sufficiently acceptable? We suggest a few measures which we believe would prove advantageous to the country as a whole as well as relieving the present discontent almost amounting to despair among the Native people.
33. In view of the declaration of the Minister of Labour of his intention to amend the Industrial Conciliation Act we suggest that amendments should provide for:
- a. Elimination of the special exemption of

pass bearing Natives from the operation of the Act by altering section 24 to read

" employee" means any person engaged to perform, for hire, or reward, manual, clerical or supervision work in any undertaking, industry, trade or occupation to which this Act applies,

thus omitting

but shall not include a person whose contract of service or labour is regulated by Native Pass Laws and Regulations or by Act No. 15 of 1911 etc.

b. Removal of all natives affected by such an amendment from the operation of the Masters and Servants Laws, the Native Recruiting Act, and similar laws.

c. Representation of the interests of non-European workers on Industrial Councils and Conciliation Boards where the workers are not included in the membership of a (European) trade union by either

1. specially appointed person or persons, or
2. representatives of native trades unions, or
3. consultative committees of Industrial Councils representative of all interests to make representations to the Councils.

d. Appeals to be allowed to the Wage Board by representatives of non-European workers from decisions of the Industrial Councils, Conciliation Boards, Mediators or Arbitrators under the Industrial Conciliation Act. until such time as the non-European worker is adequately represented on Industrial Councils or Conciliation Boards.

34. Where occupations are not organised on lines suitable for the application of the Industrial Conciliation Act, as amended above, the Wage Act should operate and the Minister should use the Board to make the necessary investigations. The necessity for using Section 3 of the Wage Act is more obvious in these occupations than in well organised trades. We have shown earlier how very depressed are the wages of unskilled workers and that they cannot be called wages " upon which such employees may be able to support themselves in accordance with civilised habits of life". Yet any very sharp rise would re-act very powerfully upon and to the detriment of the workers themselves. It is particularly necessary that each case should be examined with the maximum of care and full allowances made for local variations. These local variations are very considerable and we find that the range is very wide.

35. It is very necessary that non-European workers - and we speak more particularly on behalf of Native workers - should find hope of redress for their grievances in constitutional methods of wage adjustment. They have already turned to the Wage Board and this Council has on several occasions pressed upon both the Departments concerned - Native Affairs and Labour - the view that applications to the Wage Board should be encouraged and acceded to wherever possible. Such applications have been made by Native workers at Bloemfontein, Durban and Johannesburg and we are glad to learn that the Minister of Labour has directed the Board to deal with the Bloemfontein application. This is a particularly favourable case for an experimental enquiry, As a result of the Riots at Bloemfontein in 1925 an enquiry was held by a board representative of European and Native interests. The finding of that Board was in favour of a minimum wage of 3/- a day as against the original Native demand of 3/6. The Wage

Board should not have a difficult task in arriving at a rate that can become legally ensured.

36. By the use of the machinery of the Industrial Conciliation Act and the Wage Act it should be possible for South Africa, without any upheaval, to bridge the gulf that exists between the wages of its white skilled workers and its black unskilled workers by means of a scale of wages having regular rungs from the 10/- a week man to the £6 man. This will open the way for the civilised non-European worker as well as the European to rise rung by rung and to become a more efficient worker and a more valuable citizen.
37. But all this presumes not only a theoretical acceptance of the principles enunciated in paragraph 31, but it also demands goodwill on the part of those engaged in Industry. We are fully aware of the great call we are making upon the European people of South Africa and particularly upon trade unionists, with whose nervousness in the existing situation we have considerable sympathy. But we are so convinced that the views we have expressed are bound to gain their way in the end, that we are prepared to be patient when we shall find fierce opposition to our recommendations. We have not conducted our enquiry in vacuo, regardless of current opinion. We have taken pains to consult as many of the varying interests concerned as possible. We are satisfied that there already exists a surprising amount of agreement with the views here expressed. This is important for in the their general translation into the industrial life of the country is dependent upon public opinion, especially opinion as found in the industries concerned.
38. No legislation, no award of the Wage Board, will bring us nearer a satisfactory adjustment of these difficulties if industrial opinion and industrial organisation are unfavourable. We therefore turn our attention more especially to the Industrial Councils which are more and more becoming the parliaments of industrial life. Hitherto they have been concerned almost entirely with the welfare of the higher ranges of European labour and the trade unions have only very recently discovered that the chaotic state of unskilled labour concerns them very intimately, and even so they still view it from the standpoint of the European.
39. In agreeing to the suggested amendment of the Industrial Conciliation Act we run a grave risk of placing the non-European worker at the mercy of the Councils which may use the amended Act to push him out of Industry. It is a risk we have considered with very great care and not without many misgivings. Nevertheless, are prepared to recommend non-European workers to run that risk provided fair and reasonable means are found for the representation of their interests before the Industrial Councils. We do so for the following reasons:-
- a. In the long run the non-European will be found indispensable to the industrial life of the country.
 - b. The protection now afforded by the Act is a snare and a delusion and not in the best interests of the Native or the country.
 - c. Whenever ignorance can be dispelled by direct information through consultation and discussion, common-sense and goodwill assert themselves. In this way identity of interests is discovered and common action becomes possible. The Joint Councils of Europeans and Natives have found from their own experience the incalculable value of direct contact in consultation and discussion as a means to mutual understanding. Representation of Native interests on Industrial Councils will achieve infinitely more than political controversy in securing racial adjustments.

- d. We prefer to trust to each industry to deal with its own affairs and to legislate for itself. Any advance in the position of the non-European is safer if it is the result of "home rule" in the industry concerned. We do however insist that there shall be some appeal against obvious injustices, but the fewer appeals the better.

40. Some form of organisation to represent native workers there must be. Industry has not so far found any more satisfactory way of meeting its difficulties than by proper group organisation. All modern industrial organisation depends for its success upon the efficient organisation of the separate interests. Employers' associations and Tradeunions are deliberately encouraged by Governments in order (1) to simplify good government and (2) to throw the responsibilities of each industry back upon the shoulders of those most affected. Failure to organize Native labour will always prove a weakness in the effective administration of our industrial legislation. No industry can legislate effectively unless it knows and has studied all the salient facts.
41. Hitherto Native consciousness of disabilities has manifested itself in organisation which is sometimes political and sometimes economic, never wholly either. As in Europe at the beginning of the last century, when the workers were unenfranchised and prohibited from trade organisation, the associations move into the political or the economic field just as it happens where the shoe pinches most at the moment. The nearest approach to a native trade union organisation is the Industrial and Commercial Workers' Union, which had its origin quite separate from industrial disabilities. But the I.C.U. is not only handicapped by the existing legislation, discussed earlier, but it also fails to comply with the definition of a trade union laid down in the Industrial Conciliation Act for registration. Despite its serious disabilities it has succeeded in attracting attention both to itself and to the genuine grievances of its members.
42. Is Native labour to be organised as a separate entity? Are there to be White Trade Unions and Native Trade Unions acting separately and often in opposition? No doubt if these questions are put now to the average trade unionist his race prejudice will urge him to cry out against the very idea of one trade union embracing both white and black. This despite the facts that few unions have a definite "colour bar" in their constitution and that in the Cape some of the unions do contain non-European members. Race prejudice can carry one a long way in the face of logic and self-interest. But the constant attrition of facts will in the end wear away the self-protective dyke of racial enmity. Today we have the very sudden development in our industrial life of scales of wages which are rapidly bridging the gap between the two races and are being traversed by the efficient Native as well as by the European. If the European worker is to be drawn into a White trade union and the Native into a Black trade Union there will be two organisations concerned with the same range of occupations and these are bound to be hostile in such circumstances. Eventually there will not be room for industrial organisations covering the same grades of work but controlled by entirely different and opposing groups. One or other must win out unless steps are taken to ensure a correlation of interests,
43. The race prejudice of the White workers will prevent the fusion of these organisations, but is it not possible that they will look with more favour upon the organisation of parallel native unions sponsored by the White unions and under their direction? The recent adverse vote on the application of the I.C.U. for affiliation with the Trade Union Congress does not necessarily dispose of the possibility of the organisation by

the trades unions of subsidiary unions of native workers.

Indeed it would appear that already there is a considerable body of opinion in the Unions favourable to this course.

44. This would be preferable to the growth of purely Native organisations in each trade, for they would be sure to develop a sense of racial antagonism. The result would be found in an undue emphasis upon the diversity of interests, in the setting of White against Black, in the disintegration of all that is sound in industrial organisation - co-operation and solidarity.
45. Whatever happens the organisation of Native interests cannot become really effective for a few years, and it may be necessary to take special and temporary steps to present the Native point of view before the Industrial Councils, the Wage Board, etc. The most direct way of doing this would be to call together the Native workers in particular occupations whenever and wherever decisions are likely to be taken which will affect them or where their grievances are clamant. At such meetings workers would be asked to appoint their delegates to represent them before the body concerned.

Who should call such meetings? Trade unions might well consider whether their organisers would not be well employed in such tasks. This would be the surest way of gaining the confidence of Native workers preparatory to the organisation of the parallel unions suggested earlier. If the Trade Unions will not do this work the Government might undertake it. The District Inspectors of Labour are expected and called upon to assist in the organisation of employers' and employees' associations. The principle in either case is the same. It would perhaps be advisable that the officer delegated to do this work should know the urban native and his needs.

In any case it would be well for Joint Councils of Europeans and Natives throughout the country to study the conditions of labour organisation in their own localities and to assist as far as possible in the proper representation of the needs and condition of Native Workers before the relevant bodies.

46. We believe that co-ordination of the interests of all sections of our industrial system can be best secured by -
- a. Adequate organisation of Native labour - much preferably in alliance with European trade unions.
 - b. Native labour must be brought as soon as possible under the industrial legislation applicable to the ordinary worker, and released from the operations of separate legislation.
 - c. Proper provision must be made for the adequate representation of the Native worker on Industrial Councils and Conciliation Boards, if necessary by specially appointed officers - until ordinary trade union organisation has become possible.
 - d. There must be the right of appeal from the decisions of Industrial Councils etc. affecting Native workers.
 - e. The Wage Board should be authorised to enquire into the conditions of Native labour where the Industrial Conciliation Act cannot properly be applied.

47. We wish in conclusion to re-iterate our conviction that it is possible to secure a just co-ordination of the interests of the European and the non-European sections of the Union of South Africa. This can be done by goodwill and a determination to secure the full co-operation of every sectional interest. We believe that nothing but calamity will befall our country if the present race prejudice and mutual fear go unchecked to find their expression in deplorable legislative enactments and in inevitable racial strife. We believe that there is a better way - the way of tolerance, mutual respect and justice. We hope and believe that what we have here written will indicate the better way thus ridding ourselves of the entanglements which now bar our industrial progress.

